

Appendix H. BLM AND FOREST SERVICE WILDERNESS MANAGEMENT GUIDELINES

Regulations and Manual Guidance

Both the BLM and Forest Service have developed regulations governing management of Federal lands within designated wilderness. BLM regulations for wilderness management are found at Title 43 of the Code of Federal Regulations (CFR) Part 6300. Forest Service regulations are found in the Forest Service Manual. Both agencies have also prepared guidance to managers (in the form of manuals) for making decisions when faced with various resource management challenges, e.g., installation of wildlife water guzzlers (permanent structures) to support an endemic wildlife species (a wilderness value) that has been adversely affected by man's activities. BLM and Forest Service manual guidance for certain relevant activities is described below.

Manipulation of wildlife habitat

BLM

BLM Manual 8560 (04-27-83), Management of Designated Wilderness Areas, states the following:

Vegetation Manipulation Projects. Vegetative manipulation projects for fish and wildlife purposes may be approved by the State Director on a project-by-project basis if they do not degrade wilderness character, or if they correct conditions which are the result of human influence, or if the project will promote the perpetuation of a threatened or endangered species.

Habitat Manipulation. Habitat manipulation by chemical or mechanical means may only be approved on a project-by-project basis where necessary for threatened or endangered species, or to correct unnatural conditions resulting from human influence. Such activities are allowed only where manipulation would enhance the wilderness resources and where natural processes have been unsuccessful.

Prescribed Burning. Wildfire or prescribed burning may be used as a wildlife management tool if carefully designed to maintain or enhance the wilderness resource. Wildfire or prescribed burning is used only when the project can be accomplished without serious or long-lasting damage to watershed or the area's wilderness character. Prescribed burning will not be permitted to improve wildlife utilization.

Installations and Facilities. Although construction of facilities to enhance an area's value for wildlife or fish is not generally consistent with the free operation of natural processes, there are situations where such measures may be necessary for the continued existence or welfare of wildlife or fish living in wilderness. This is particularly true in the case of species adversely affected through human activities in and around such areas. Certain permanent installations to maintain conditions for wildlife and fish, upon consideration of their design, placement, duration, and use, may be permitted if the resulting change is compatible with preserving wilderness character and is consistent with wilderness management objectives for the area, and if the installations are the minimum necessary to accomplish the task. Permissible actions under these criteria may include: installations to protect sources of water on which native wildlife depend, such as exclosures; and water sources such as springs, wells, and guzzlers.

Upon development of site-specific project plans for new artificial waters in wilderness, separate environmental review, including "minimum tool analysis" which specifies the manner in which projects are to be completed, will be necessary. Guidelines furnished in BLM Handbook H-8560-1 (07-27-88), Management of Designated Wilderness Areas, include building new wildlife management structures in a manner that minimizes visual impacts on the landscape.

Forest Service

Guidance for the manipulation of wildlife on Forest Service lands within the Monument as listed in the Forest Service Manual 2323.35a (06-01-90) is listed below:

The objective of all projects must be to perpetuate the wilderness resource; projects must be necessary to sustain a primary value of a given wilderness or to perpetuate a federally listed threatened or endangered species. To qualify for approval by the Chief, habitat manipulation projects must satisfy the following criteria:

1. The condition needing change is a result of abnormal human influence.
2. The project can be accomplished with assurance that there will be no serious or lasting damage to wilderness values.
3. There is reasonable assurance that the project will accomplish the desired objectives.
4. Test major projects through a pilot study. The pilot study should take place in a comparable area outside of wilderness if possible.
5. Give first priority to locating habitat improvement projects outside wilderness for the benefit of wildlife that spend only part of the year in wilderness.

Forest Service Manual 2323.35b (06-01-90), Manipulation of Fish Habitat, states the following:

The objective of all projects must be to perpetuate the wilderness resource. To qualify for approval by the Chief, fish habitat projects must satisfy the criteria established for wildlife (2323.35a). However, the Regional Forester may permit the clearing of debris that impedes the movement of fish on critical spawning streams. Identify critical spawning streams in the forest plan or a wilderness implementation schedule as essential for the propagation of fish. Clear debris only by non-motorized equipment. Use explosives only when the use of hand tools is not practical and only outside of heavy visitor use periods.

When stream and lake improvement structures, flow maintenance dams, unused reservoirs, and other alterations of fish habitat exist in wilderness areas, consider making them as compatible as possible with wilderness objectives rather than attempting to remove them. If permitted to remain, maintain them by non-motorized equipment and comply with requirements in section 2323.4. Describe the disposition and management of each structure in the forest plan or wilderness implementation schedule.

Reintroduction of native species

BLM

In accordance with BLM Manual 8560, reintroduction of native species may be allowed:

Reintroduction of Native Species. In some instances, wildlife species once native to the wilderness have been forced from their original habitat by encroachment of human beings and human activities. To the extent that these factors can be altered or managed within the intent of the Wilderness Act, native species no longer established in the wilderness area may be reintroduced and managed as a part of the wilderness resource. Care must be exercised to be certain that the species is native. Such programs are addressed in the wilderness management plan.

Guidelines furnished in BLM Handbook H-8560-1 indicate that motorized methods and temporary holding and handling facilities may be permitted if they are the minimum necessary to accomplish an approved transplant.

Forest Service

In accordance with Forest Service Manual 2323.33a, reintroduction of native species may be allowed:

Reintroductions. Reintroduce wildlife species only if the species was once indigenous to an area and was extirpated by human induced events. Favor federally listed threatened or endangered species in reintroduction efforts. Reintroductions shall be made in a manner compatible with the wilderness environment. Motorized or mechanical transport may be permitted if it is impossible to do the approved reintroduction by non-motorized methods (sec. 2326).

Research

BLM

Title 43 CFR 6302.16 states that gathering information about natural resources in wilderness, where methods may include motorized equipment and/or more than minimal surface disturbance, may only occur if:

1. Similar research opportunities are not available outside wilderness.
2. The activity is carried out in a manner compatible with the preservation of the wilderness environment and conforming to the applicable management plan.
3. Any ground disturbance or removal of material is the minimum necessary for the scientific purposes of the research.
4. BLM has authorized the activity.
5. All areas of disturbance are reclaimed; a bond for reclamation may be required.

This provision is reiterated in BLM Manual 8560. The Manual further provides for research and scientific activities that use wilderness areas for study of natural environments and ecosystems. It requires that such research and collection of information be conducted in an unobtrusive manner by methods compatible with the preservation of the area's wilderness character. Research and other studies must be conducted without use of motorized equipment or construction of temporary or permanent structures, except when approved by the State Director for projects that are essential to managing the specific wilderness when no other feasible alternatives exist. Such use, when approved, must be the minimum necessary and must not degrade the area's wilderness character. Relative to structures and facilities proposed by other agencies conducting activities within BLM wilderness, such agencies are equally constrained by provisions of the Wilderness Act that are applicable to BLM.

The California Desert Conservation Area Plan (1980), as amended, requires approval of the authorized officer for research activities conducted on BLM lands, including those within designated wilderness. Whenever required, all permits, authorizations, and/or licenses will be issued at the discretion of the authorized officer.

Forest Service

Forest Service Manual direction for research in Wilderness:

Forest Service Manual 2323.37 - Wildlife and Fish Research. Wildlife and fish research is an appropriate activity in wilderness. In all cases, research shall be conducted in such a way as to minimize any adverse impacts on the wilderness resource or its users. See FSH 2309.19 for specific direction and guidelines for approving these activities.

1. Research methods that temporarily infringe on the wilderness character may be used, provided the information sought is essential for wilderness management and alternative methods or locations are not available.
2. Scientific sampling of wildlife and fish populations is essential to the management of natural populations in wilderness.
3. Capturing and inconspicuous marking of animals, including radio telemetry, is permitted.
4. Installations, such as temporary shelters for cameras and scientific apparatus, and enclosures or exclosures, essential for wildlife research and management studies may be approved on a case-by-case basis.

Forest Service Manual (FSM) 2324.4 - Research in Wilderness.

2324.41 - Objective. Forest Service objective concerning research are to provide appropriate opportunity for scientific studies that are dependent on a wilderness environment. The following guidelines apply

1. Encourage research in wilderness that preserves the wilderness character of the area (FSM 2320.3).
2. Identify wilderness management or national issues that may require research in forest plans.
3. Review proposals to conduct research in wilderness to ensure that research areas outside wilderness could not provide similar research opportunities. Direct projects that would jeopardize wilderness values to areas outside wilderness.
4. Review research proposals to conduct research in wilderness to ensure that research methods are compatible with wilderness values. Do not allow the use of motorized equipment or mechanical transport unless the research is essential to meet minimum requirements for administration of the area as wilderness and cannot be done another way (sec. 4(c) the Wilderness Act). Include specific stipulations in the approval document.
5. Except for studies that clearly require contact within wilderness, allow interviews or direct contact with visitors only outside wilderness.
6. Permit scientific study of cultural resource sites/areas consistent with the direction in FSM 2323.8.

Cooperative Management

BLM

Section 103(e) of the California Desert Protection Act, which applies to BLM's Santa Rosa Wilderness Additions, states: "As provided in section 4(d)(7) [sic] of the Wilderness Act, nothing in this title shall be construed as affecting the jurisdiction of the State of California with respect to wildlife and fish on the public lands located in that State."

Section 103(f) states: "Management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas designated by this title and shall include the use of motorized vehicles by the appropriate State agencies."

On September 24, 1997, the BLM and California Department of Fish and Game (CDFG) entered into a Memorandum of Understanding to establish a framework for cooperation and procedures for CDFG maintenance, management, and research activities in BLM wilderness where motorized vehicle and equipment use is involved. Through the Memorandum of Understanding, both agencies agree to protect and preserve the

wilderness character and values of the areas while carrying out CDFG's wildlife management mission.

Forest Service

Section 4(d)(8) of the Wilderness Act states: "Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests."

A Memorandum of Understanding (MOU) between the California Department of Fish and Game and the United States Department of Agriculture, Forest Service, through the Regional Foresters of the Pacific Southwest, Intermountain and Pacific Northwest Regions was signed September 25, 1995. This MOU forms the basis for cooperation between CDFG and the Forest Service in Region 5. This MOU stresses cooperation and coordination, resolution of issues at the field level, and provides a process for elevating problems. Appendix III addresses wildlife and fish management, activities, and coordination in wilderness areas tiered to the International Association of Fish and Wildlife Agencies MOU.

BLM and Forest Service

In August 1986, the Forest Service, Bureau of Land Management, and the International Association of Fish and Wildlife Agencies (IAFWA) updated Policies and Guidelines for Fish and Wildlife Management in National Forest and Bureau of Land Management Wilderness. Guidelines serve as a framework for cooperation and coordination in the development of cooperative agreements and other management plans. The *Policies and Guidelines* state:

Fish and wildlife management activities in wilderness will be planned and carried out in conformance with the Wilderness Act's purpose of securing an "enduring resource of wilderness" for the American people.

Fish and wildlife management activities will emphasize the protection of natural processes. Management activities will be guided by the principle of doing only the minimum necessary to manage the area as wilderness.

Wilderness Permits

BLM

In accordance with Title 43 of the Code of Federal Regulations, Subpart 2932.11, Special Recreation Permits may be required for the following uses: (1) recreational use of special areas; (2) noncommercial, noncompetitive, organized group activities or events; or (3) academic, educational, scientific, or research uses that involve (i) means of access or activities normally associated with recreation; (ii) use of areas where recreation use is allocated; or (iii) use of special areas. Determinations regarding such requirements will be made through a trails management plan for the Santa Rosa and San Jacinto Mountains (pending).

Organized group activity means a structured, ordered, consolidated, or scheduled event on, or occupation of, public lands for the purpose of recreational use that is not commercial or competitive. Special area means (a) an area officially designated by statute, or by Presidential or Secretarial order; (b) an area for which BLM determines that the resources require special management and control measures for their

protection; or (c) an area covered by joint agreement between BLM and a State under Title II of the Sikes Act (16 U.S.C. 670(a) *et seq.*).

Forest Service

San Jacinto Wilderness:

A reservation permit system has been in effect in the San Jacinto Wilderness since 1971, when limiting use was determined necessary to protect the resource and provide a measure of solitude. Wilderness permits are required for day use as well as overnight trips in the San Jacinto Wilderness. Permits may be obtained up to 90 days in advance. There is no charge for wilderness permits. The maximum size of a party that is permitted to travel together or camp at one location is twelve persons. The maximum number of stock for overnight trips is eight. Permits may be obtained in person or by written or faxed request to the Forest Service Idyllwild Ranger Station. The Forest Service honors day use permits issued by the State Park, except on Devil's Slide Trail when permits are limited. Overnight permits must be obtained from the agency that manages the area in which visitors plan to camp, i.e., Forest Service or State Park.

Overnight permits are issued for designated sites and for explorer camping. There are twenty-two designated campsites on Forest Service lands in the San Jacinto Wilderness, eight of which have campfire rings. The maximum number individuals allowed under an explorer permit, which allows visitors to camp anywhere within one of the six zones, is eight. Explorer campsites must meet distance restrictions from meadows, stream, trails, and other campsites, and not have a campfire. The quota for overnight campers is 360.

In the San Jacinto Wilderness, the only day use quota is on the Devil's Slide Trail. Although this trail is located outside the National Monument, it affords direct access to National Monument lands. Twenty-five permits are issued on primary days (weekends and holidays) between Memorial Day and Labor Day.

Santa Rosa Wilderness:

In the Forest Service Santa Rosa Wilderness, campers and hikers are asked to register at the sign-in box on the Cactus Spring Trail. The maximum size of a party that is permitted to travel together or camp at one location is twelve persons. Otherwise, there are no quotas on the number of day-use or overnight campers allowed at one time in the Santa Rosa Wilderness.